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PATENT APPLN. NO. 10/809,842 RESPONSE UNDER 37 C.F.R. \$1.111

PATENT NON-FINAL

# IN THE CLAIMS:

1. (previously presented) A nonaqueous electrolyte secondary battery comprising a positive electrode including a positive electrode active material, a negative electrode including a carbon material as a negative electrode active material and a nonaqueous electrolyte including a solvent and a solute, wherein sulfolane is contained as a solvent in the nonaqueous electrolyte in an amount of 20 ~ 45 % by volume, on the basis of the total volume of the solvent, and vinyl ethylene carbonate and vinylene carbonate or a derivative of vinylene carbonate are added to the nonaqueous electrolyte.

#### (canceled)

3. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the amount of vinyl ethylene carbonate added to the nonaqueous electrolyte is in a range of 0.1 ~ 5 parts by weight per 100 parts by weight of the nonaqueous electrolyte.

### 4. (canceled)

5. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the amount of vinylene carbonate or a derivative thereof added to the nonaqueous electrolyte is in a range of 0.1 ~ 5 parts by weight per 100 parts by weight of the nonaqueous electrolyte.

## 6. (canceled)

7. (original) The nonaqueous electrolyte secondary battery according to claim 3, wherein the amount of vinylene carbonate or a derivative thereof added to the nonaqueous electrolyte is in a range of 0.1 ~ 5 parts by weight per 100 parts by weight of the nonaqueous electrolyte.

# 8-16. (canceled)

17. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the carbon material has a ratio  $(I_{\text{D}}/I_{\text{G}})$  of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.

### 18. (canceled)

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- 19. (original) The nonaqueous electrolyte secondary battery according to claim 3, wherein the carbon material has a ratio ( $T_{\rm D}/I_{\rm G}$ ) of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.
- 20. (original) The nonaqueous electrolyte secondary battery according to claim 5, wherein the carbon material has a ratio  $(I_p/I_c)$  of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.